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Item 599 A
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Agreements Between the
UNITED STATES OF AMERICA
and LEBANON

Amending the Agreement
of March 23, 1978

Effected by Exchange of Notes
Signed at Beirut May 17 and June 23, 1978

with

Minutes of Negotiations
Signed at Beirut March 31, 1978

And Exchange of Notes
Signed at Beirut September 26 and
October 6, 1978

And Exchange of Notes
Signed at Beirut November 24, 1978

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89–497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

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LEBANON

Agricultural Commodities

Agreements amending the agreement of March 23, 1978.
Effected by exchange of notes
Signed at Beirut May 17 and June 23, 1978;
Entered into force March 1, 1979.
With minutes of negotiations
Signed at Beirut March 31, 1978.
And exchange of notes
Signed at Beirut September 26 and October 6, 1978;
Entered into force March 1, 1979.
And exchange of notes
Signed at Beirut November 24, 1978;
Entered into force March 1, 1979.

The American Chargé d'Affaires ad interim to the Lebanese Prime Minister

Beirut, May 17, 1978

Excellency,

I have the honor to refer to the P. L. 480 Title I Agricultural Commodities Sales Agreement signed by representatives of our two Governments on March 23, 1978[1] and propose that the mentioned Agreement be amended as follows:

In Part II -- Item I, Commodity Table -- under the appropriate columns, insert: Tobacco, 1978, 500, 2.0 and insert new line 8.0.

In Part II -- item III, Usual Marketing Table -- under the appropriate columns, insert: Tobacco, 1978, 200 (all of which shall be imported from the USA).

Part II - Item IV Export Limitations -- at the end of Paragraph B, change the final period to a semicolon and insert.... and for Tobacco -- None.

All the other terms and conditions of the March 23, 1978 Agreement remain the same.

It is proposed that this note and your concurrence therein, or the concurrence of the authorized Government of Lebanon representative designated by you, constitute an agreement between our two Governments to be effective as of the date of your note reply.

Please accept, Excellency, the renewed assurances of my highest consideration.

George M. Lane
Charge d'Affaires

His Excellency
Dr. Salim Al Hoss
Prime Minister
Republic of Lebanon

cc: His Excellency Dr. Farid Raphael, Minister of Finance
Mr. Jacques Dagher, Director General, Regie Libanaise des Tabacs et Tombacs

[1] TIAS 9303; 30 UST.

The Lebanese Prime Minister to the American Ambassador

RÉPUBLIQUE LIBANAISE
Présidence du Conseil des Ministres

Beirut, June 23, 1978.

Excellency,

I have the honor to refer to the P.L. 480 Title I Agricultural Commodities Sales Agreement signed by representatives of our two Governments on March 23, 1978 and Mr. George M. Lane's note of May 17, 1978 proposing that the Agreement be amended as follows :

In Part II-Item I, Commodity Table--under the appropriate columns, insert : Tobacco, 1978, 500, 2.0 and insert new line 8.0.

In Part II--Item III, Usual Marketing Table--under the appropriate columns, insert: Tobacco, 1978, 200 (all of which shall be imported from the USA).

Part II--Item IV Export Limitations--at the end of Paragraph B, change the final period to a semicolon and insert.... and for Tobacco--None.

All the other terms and conditions of the March 23, 1978 Agreement remain the same.

I concur with the proposed amendment as stated above to become effective as of the date of this note.

Please accept, Excellency, the renewed assurances of my highest consideration.

Salim Hoss
Prime Minister

His Excellency
Mr. Richard B. Parker
Ambassador of the
United States of America,
American Embassy,
Beirut, Lebanon.

Minutes of Negotiations between Representatives of the Governments of the United States and Lebanon on a PL-480 Title I[1] Agreement

On March 17, 1978 a negotiation meeting was held to discuss the tobacco part under the proposed PL-480, Title I Agreement for U.S. Fiscal Year 1978. Mr. Jacques Dagher, Director General of the Regie Libanaise des Tabacs et Tombacs, Ministry of Finance represented the Government of Lebanon, and Dr. Thomas C. Irvin, the Agency for International Development Representative at the American Embassy represented the Government of the United States of America.

On March 31, 1978, Mr. Dagher and Dr. Irvin approved the following minutes of the meeting held on March 17.

1. The U.S. representative explained briefly the purpose and the operational aspects of the PL-480 Title I program and informed the Lebanese representative the quantity and value of the tobacco provided under the proposed agreement. He also emphasized that the export market values and the quantities mentioned in Part II of the agreement may not be exceeded.

2. The U.S. representative called to the attention of the Lebanese representative that the proposed agreement provides for the commercial purchase by the recipient country of at least 510 metric tons of leaf tobacco (of which at least 390 metric tons must be from the United States) during U.S. Fiscal Year 1978.

3. The U.S. representative called to the attention of the Lebanese representative that PL-480 regulations require specific emphasis on implementation of self-help measures so as to contribute directly to development progress in poor rural areas and to enable the poor to participate actively in increasing agricultural production through small farm agriculture and that the proceeds of the sales of the subject commodities will be used for purposes which directly improve the lives of the poorest of the recipient country's people.

[1] 68 Stat. 455; 7 U.S.C. § 1701 *et seq.*

4. The U.S. representative pointed out that purchases of the commodities in question and the ocean freight should be made on the basis of invitations for bids (IFB)s to be approved by the General Sales Manager, USDA, prior to issuance.

5. The U.S. representative mentioned that if the Government of Lebanon decides to nominate a purchasing or shipping agent to procure the commodity or arrange ocean transportation under the agreement, the GOL must notify the General Sales Manager, USDA, in writing of such nomination and provide along with the notification, a copy of the proposed agency agreement.

6. The U.S. representative informed the Lebanese representative that arrangements should be made by the appropriate Lebanese authorities to relay to its Washington Embassy all instructions, information and authority necessary to enable timely implementation of the agreement.

7. The U.S. representative informed the Lebanese representative that acceptable letters of credit for both commodity and freight for 100 percent of value should be opened on time to avoid delays in shipment and costly claims by the suppliers resulting thereof. The same is true for the settlement of the initial and final payments on the freight.

8. The U.S. representative called to the attention of the Lebanese representative that appropriate measures for identification and publicity for the commodities should be undertaken by the government of the recipient country, as mutually agreed upon by both parties.

9. The U.S. representative emphasized the importance of timely submission of the reports required by the proposed agreement.

10. The Lebanese representative called to the attention of the U.S. representative that in view of the state of reorganization and reequipment of the Lebanese Tobacco Monopoly (Regie Libanaise des Tabacs et Tombacs) facilities which were heavily damaged during the 1975/76 hostilities in Lebanon, the Regie will not be able to purchase during US Fiscal Year 1978 the quantities of tobacco required under the UMR section of the proposed agreement.

The Lebanese representative mentioned that the Regie will start its importing operations for the first time since 1975 by purchasing commercially 200 metric tons of US burley tobacco for which invitations for bids were already issued this month for immediate delivery. The Lebanese representative stated that the quantity of tobacco to be provided for under the proposed agreement together with the above quantity to be purchased commercially and about 350 metric tons of flue cured tobacco in stocks will suffice the needs for this calendar year. He also expressed the wish that the above proposed program not be affected by this matter taking into consideration the tight financial situation of the Regie and the fact that manufacturing will resume newly after a disruption of about two years by "force majeure" reasons.

Signed on March 31, 1978

For the Government of the United States of America

Thomas C. Irvin
AID Representative
U.S. Embassy, Beirut

For the Government of Lebanon

Jacques Dagher
Director General
Regie Libanaise des Tabacs et Tombacs

Addendum to
Minutes of Negotiations between
Representatives of the Governments
of the United States and Lebanon
on a PL 480 Title I Agreement (Tobacco)

On May 9, 1978, Dr. Thomas C. Irvin of the American Embassy informed Mr. Jacques Dagher, Director General of the Regie Libanaise des Tabacs et Tombacs, that the Usual Marketing Requirement (UMR) for tobacco, for U.S. Fiscal Year 1978 under the subject PL 480 Title I Agreement was reduced to 200 Metric Tons, all of which shall be imported from the United States.

The Government of Lebanon understands and accepts the above UMR levels.

For the Government of the
United States of America

Thomas C. Irvin
AID Representative
U.S. Embassy, Beirut

For the Government
of Lebanon

Jacques Dagher
Director General
Regie Libanaise des
Tabacs et Tombacs

The American Minister Counselor to the Lebanese Prime Minister

Beirut, September 26, 1978

Excellency,

I have the honor to refer to the P. L. 480 Title I Agricultural Sales Agreement signed by representatives of our two Governments on March 23, 1978, as amended June 23, 1978, and propose that the Agreement be further amended as follows:

In Part II — Item I, Commodity Table -- under column entitled "Supply". For Tobacco delete "1978" and insert "1978 plus October and November 1978".

In Part II — Item III, Usual Marketing Requirement — under column entitled "Import Period". For Tobacco delete "1978" and insert "1978 plus October and November 1978".

In Part II, Item IV — Export Limitations — delete the entire paragraph A and insert the following: "The export limitation period shall begin on the date the Agreement is signed and continue through U. S. fiscal year 1978, except that the period for tobacco will cover U. S. fiscal year 1978 plus October and November 1978, or any subsequent U. S. fiscal year during which commodities financed under this Agreement are being imported or utilized".

All other terms and conditions of the March 23, Title I Agreement, as amended June 23, 1978, would remain the same.

I propose that this note and your reply concurring therein, constitute an agreement between our two Governments to be effective as of the date of your note in reply.

Please accept, Excellency, the renewed assurances of my highest consideration.

Lucien L. Kinsolving
Minister Counselor

His Excellency
Dr. Salim Al Hoss
Prime Minister
Republic of Lebanon

cc: His Excellency Dr. Farid Raphael, Minister of Finance
Mr. Jacques Dagher, Director General, Regie Libanaise des Tabacs et Tombacs

The Lebanese Prime Minister to the American Ambassador

RÉPUBLIQUE LIBANAISE
Présidence du Conseil des Ministres

Beirut, 6th October 1978

Excellency,

I have the honor to refer to the P.L. 480 Title I Agricultural Sales Agreement signed by representatives of our two Governments on March 23, 1978, as amended June 23, 1978, and Mr. Lucien L. Kinsolving's note of September 26, 1978, proposing that the Agreement be further amended as follows :

In Part II - Item I, Commodity Table -- under column entitled "Supply". For Tobacco delete "1978" and insert "1978 plus October and November, 1978".

In Part II - Item III, Usual Marketing Requirement -- under column entitled "Import Period". For Tobacco delete "1978" and insert "1978 plus October and November 1978".

In Part II, Item IV -- Export Limitations -- delete the entire paragraph A and insert the following: "The export limitation period shall begin on the date the Agreement is signed and continue through U.S. fiscal year 1978, except that the period for tobacco will cover U.S. fiscal year 1978 plus October and November 1978, or any subsequent U.S. fiscal year during which commodities financed under this Agreement are being imported or utilized".

All other terms and conditions of the March 23, Title I Agreement, as amended June 23, 1978, would remain the same.

I concur with the proposed amendment as stated above, to be effective as of the date of this note.

Please accept, Excellency, the renewed assurances of my highest consideration.

Salim Hoss
Prime Minister

His Excellency
The Ambassador of the
United States of America
American Embassy
Beirut, Lebanon

The American Ambassador to the Lebanese Prime Minister

Beirut, November 24, 1978

Excellency,

I have the honor to refer to the P.L. 480 Title I Agricultural Sales Agreement signed by representatives of our two Governments on March 23, 1978, as amended June 23, and October 6, 1978, and propose that the Agreement be further amended as follows:

In Part II — Item I, Commodity Table — under column entitled "Supply Period". For Tobacco delete "1978 plus October and November 1978" and insert "1978 plus October 1, 1978 through February 28, 1979".

In Part II — Item III, Usual Marketing Requirements — under column entitled "Import Period". For Tobacco delete "1978, plus October and November 1978", and insert "1978 plus October 1, 1978 through February 28, 1979".

In Part II, Item IV — Export Limitations — In paragraph A delete the words "1978 plus October and November 1978" and insert "1978 plus October 1, 1978 through February 28, 1979".

All other terms and conditions of the March 23, Title I Agreement, as amended June 23, and October 6, 1978, would remain the same.

I propose that this note and your reply concurring therein, constitute an agreement between our two Governments to be effective as of the date of your note in reply.

Please accept, Excellency, the renewed assurances of my highest consideration.

John Gunther Dean
American Ambassador

His Excellency
Dr. Salim Al Hoss
Prime Minister
Republic of Lebanon

cc: His Excellency Dr. Farid Raphael, Minister of Finance
Mr. Jacques Dagher, Director General, Regie Libanaise des Tabacs et Tombacs

The Lebanese Prime Minister to the American Ambassador

REPUBLIQUE LIBANAISE
MINISTÈRE DE L'INFORMATION
LE MINISTRE

N° 395

Beirut, November 24, 1978

Excellency,

I have the honor to refer to the P.L. 480 Title I Agricultural Sales Agreement signed by representatives of our two Governments on March 23, 1978, as amended June 23, and October 6, 1978, and your note of November 24, 1978, proposing that the Agreement be further amended as follows:

In Part II - Item I, Commodity Table - under column entitled "Supply Period". For Tobacco delete "1978, plus October and November 1978" and insert "1978 plus October 1, 1978 through February 28, 1979".

In Part II - Item III, Usual Marketing Requirements - under column entitled "Import Period". For Tobacco delete "1978, plus October and November 1978" and insert "1978 plus October 1, 1978 through February 28, 1979".

In Part II, Item IV - Export Limitations - In paragraph A delete the words "1978 plus October and November 1978" and insert "1978 plus October 1, 1978 through February 28, 1979".

All other terms and conditions of the March 23, Title I Agreement, as amended June 23, and October 6, 1978, would remain the same.

I concur with the proposed amendment as stated above, to be effective as of the date of this note.

Please accept, Excellency, the renewed assurances of my highest consideration.

Salim Hoss
Prime Minister

REPUBLIQUE LIBANAISE
Présidence du Conseil des Ministres

His Excellency
The Ambassador of the
United States of America
American Embassy
Beirut, Lebanon

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